

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

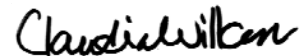
GREGORY GILMORE,	No. C 08-01576 CW
Plaintiff,	ORDER DISMISSING
v.	CASE FOR FAILURE TO
MICHAEL J ASTRUE,	PROSECUTE
Defendant.	

On March 21, 2008, Plaintiff filed a complaint in this social security case. The Court issued a scheduling order indicating that Plaintiff must file and serve a motion for summary judgment or for remand within thirty days of service of Defendant's answer. On August 4, 2008, Defendant filed his answer. Plaintiff did not file a motion within thirty days. On March 10, 2009, the Court issued an order granting Plaintiff thirty more days to file his motion for summary judgment or for remand. Five weeks after the Court issued its order, Plaintiff filed a motion for an extension of time to file his motion. On May 21, 2009, the Court issued an order granting Plaintiff's motion for an extension of time and allowed Plaintiff three weeks from that date to file his motion. In the order, the Court indicated that if Plaintiff did not file his motion by the time three weeks had elapsed, his case would be

1 dismissed for failure to prosecute. Plaintiff's motion was due on
2 June 11, 2009. To date, Plaintiff has not filed a motion or any
3 other document.

4 Therefore, for good cause appearing, this case is dismissed
5 for failure to prosecute.

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8 IT IS SO ORDERED.



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10 Dated: 6/30/09

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12 CLAUDIA WILKEN
13 United States District Judge
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UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

GREGORY GILMORE,

Plaintiff,

v.

MICHAEL J ASTRUE et al,

Defendant.

Case Number: CV08-01576 CW

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on June 30, 2009, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Gregory J. Gilmore
P.O. Box 1523
San Anselmo, CA 94960

Dated: June 30, 2009

Richard W. Wieking, Clerk
By: Sheilah Cahill, Deputy Clerk

United States District Court
For the Northern District of California